PATENT
Attorney Docket No.: 37921-151956

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Patent application of Stephen Alister Locarnini et al.	:	
		:	Group Art Unit: 1648
Serial No.	09/831,686	:	
Filing Date:	July 31, 2001	:	Examiner: Peng, Bo
For:	BIOLOGICAL COMPOSITIONS, COMPONENTS THEREOF AND USES THEREFORE	:	Confirmation No.: 7052

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the office action mailed November 10, 2005. Per the petition and fee submitted herewith, Applicants invoke the benefit of 37 CFR 1.136 to secure a one-month extension of time up to and including January 10, 2006. No further fees are believed due. If a fee is due, kindly charge the same to deposit account 50-0573.

Restriction has been required under 35 U.S.C. 121 and 372. In response, applicants

CERTIFICATE OF MAILING
UNDER 37 C.F.R. 1.8(a)

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

BY Laura M. Markley

DATE: January 10, 2006

hereby elect the invention of Group VI for prosecution. The election is made with traverse, to the extent the subject matter of Group VI has been separated from the subject matter of Group VIII.

Reconsideration of the restriction requirement, and joinder of the subject matter of Group VIII with the subject matter of elected Group VI, is respectfully requested, for the following reasons.

The list of mutations in claim 10 (Group VI) includes HBsAg mutations. The list in claim 12 (Group VIII) includes mutations in the HBV DNA polymerase. Given the nature of the HBV genome, the gene encoding the surface antigen and the gene encoding the DNA polymerase effectively overlap and are transcribed in different reading frames. Thus, mutations in the surface antigen will thus have equivalent mutations in the DNA polymerase. Table 2 of the specification (pg. 33) describes the relationship between each surface antigen mutation and the corresponding polymerase mutation. Given this close relationship between the mutations stated in claims 10 and 12, it is submitted that these claims are related to a single general inventive concept which share the same or corresponding special technical feature. Thus, rejoinder of Group VIII with elected Group VI is respectfully requested.

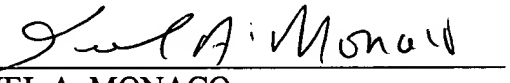
The Detailed Action, page 3, item 4, states that applicants are required to elect one isolated HBV or HBsAg by a specific sequence identifier for examination. This is understood as an election of species requirement. Applicants elect the species G112R mutant for examination. However, applicants respectfully submit that all mutations of claim 10 are linked in the sense that these mutations result in variants of HBV resistant to current chemotherapeutic agents and/or anti-HBV antibodies.

As to the requirement for electing a species by sequence identifier, this specification does not contain the discrete sequence of the entire mutant G112R. As detailed at page 7 of the specification, the amino acid sequence of SEQ ID No. 1 defines a reference HBsAg amino acid

sequence. The mutation comprises the residue arginine instead of glycine at position 112.

Respectfully submitted

STEPHEN ALISTER LOCARNINI

BY: 

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